

# **EXHIBIT 4**

1 I, J. A. declare as follows:

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3 1. This declaration is based on my personal knowledge. If called to testify in this  
4 case, I would testify competently about these facts.

5 2. I am 15 years old. I am from Mexico. I speak Spanish and some English. I have  
6 been in the United States for about one year and nine months. I am currently in  
7 immigration detention in the custody of ORR at Mercy First Residential Treatment  
8 Center.

9 3. When I came to the United States, I was taken into immigration custody and then  
10 transferred to BCFS in San Antonio. I was just there for four days. One morning, they  
11 woke me up at 4 am and put me on a plane. They did not tell me where I was going; they  
12 just said that I was being taken to a better place, which turned out to be a lie. When I  
13 arrived in Virginia, they finally told me where I was and that they were taking me to  
14 Shenandoah Juvenile Detention Center.

15 4. I don't remember ORR telling me why they were moving me to Shenandoah. I  
16 don't remember ever getting anything in writing that told me the reason that they moved  
17 me to Shenandoah. I don't remember being told that I could challenge or appeal the  
18 decision to put me in Shenandoah.

19 5. I was in Shenandoah for seven months. I did not like being in Shenandoah or the  
20 way that the staff treated us there. The staff members would say ugly things about my  
21 mother and my family members. I think they did that to try to make me mad and to act  
22 out. I saw them do similar things to the other kids who were there. I think the worst  
23 thing about being in Shenandoah was the fights and seeing the staff members hit other  
24 kids in the facility.

25 6. At Shenandoah, they punished us by putting us in solitary confinement for long  
26 periods of time. If we got into a fight, refused to go into our rooms or to follow the  
27 program, or broke the rules in another minor way, they would put us into our rooms for  
28 weeks at a time. Three times, they put me into my room in solitary confinement for two

1 weeks, and one time, they put me in my room for three and a half weeks. When we were  
2 on solitary confinement, they did not let us out for any reason, including to eat, take  
3 showers or use the bathroom. Each room had a bathroom which we used to do our  
4 necessities so we would not go out. We had to do all of that in our rooms. I didn't know  
5 of any way to try to appeal or challenge the staff's decision to put me into solitary  
6 confinement; no one seemed to pay attention to how they were treating us.

7 7. They also tied us to restraint chairs as punishment. One time, when I was at  
8 Shenandoah, I didn't want to go into my room. The staff members reacted by pushing  
9 me to the floor, and one of the staff members grabbed my head and forced my head down  
10 to the ground. Then they handcuffed me and put a white bag of some kind onto my head.  
11 They took off all of my clothes and put me into a restraint chair, where they attached my  
12 hands and feet to the chair. They also put a strap across my chest. They left me naked  
13 attached to that chair for two and a half days, including at night. They took the bag off  
14 my head when they sat me down on the restraint chair. There were staff members in the  
15 room at times but they would leave me alone for a few hours. I do not remember very  
16 well. I never saw a doctor while I was in the chair or after they took me out.

17 8. I saw three other children tied to the restraint chair at different times. Each time,  
18 they were left there for about a day.

19 9. Early one morning at about 3 am when I was at Shenandoah, the staff woke me up  
20 and told me that I was leaving. I was moved to Yolo Juvenile Detention Center that day.  
21 I don't remember ever getting anything in writing about the transfer telling me why I was  
22 being moved or that I could appeal or challenge the decision to put me in Yolo.

23 10. ~~Yolo was also a horrible place. They used pepper spray on the kids there, and I~~  
24 ~~was sprayed seven times in my eyes. It burned and hurt a lot.~~

25 11. After I was at Yolo for five months, they moved me to Mercy First in the RTC  
26 program. I have been here for nine months now.

27 12. I receive a number of medications here, to help me sleep and for my emotions,  
28 including depression and anxiety. They told me here that I have to take the medications,

1 and that it is mandatory. When I have refused to take my medications, they put me on the  
2 red level of our program, which means that I cannot leave the unit.

3 13. During the time that I have been in immigration detention, I do not remember  
4 being told that I could have a bond hearing if I requested one.

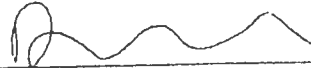
5 14. I considered taking voluntary departure because of the way that I have been treated  
6 at the different centers that I have been held at. Because of the things that have happened  
7 to me, I do not have any trust in them that they will treat me properly or that the  
8 government will try to release me to a sponsor or to be held in a less restrictive  
9 environment. I have been in immigration detention for a long time, and I have never had  
10 any good news in the time that I have been here. I just want to have freedom and to not  
11 have to live in these types of places.

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13 I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
14 16 day of January, 2018, at New York, New York.

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17 J.A.  
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CERTIFICATE OF TRANSLATION

I, Denise Guerrero, hereby certify that I am proficient in both Spanish and English, and that I accurately translated the foregoing statement and read it back to J.A. in its entirety in Spanish on 1/18/18 [DATE].



[NAME]